

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Christopher Swanson,

Civil No. 19-117 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Wilford, Geske, & Cook, et al.,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated August 30, 2019. No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Brisbois' August 30, 2019 Report and Recommendation (Doc. No. [84]) is **ADOPTED**.
2. Defendant Wilford, Geske, & Cook's Motion to Dismiss, (Doc. No. [26]), is **GRANTED**;
3. Defendants Caliber Home Loans, Inc. and Mortgage Electronic Registration Systems, Inc.'s Motion to Dismiss, (Doc. No. [31]), is **GRANTED**;

4. Defendant Rubicon Mortgage Advisors, LLC's Motion to Dismiss, (Doc. No. [44]), is **GRANTED**;

5. Plaintiff's Motion to Compel Arbitration, (Doc. [51]), is **DENIED as moot**;

6. Defendants Caliber Home Loans, Inc. and Mortgage Electronic Registration Systems, Inc.'s Motion to Vacate Arbitration Award, (Doc. No. [62]), is **GRANTED**;

7. Defendant Rubicon Mortgage Advisors, LLC's Motion to Vacate Arbitration Award, (Doc. No. [70]), is **GRANTED**;

8. The Arbitration Award, (Doc. No. [68-1]), is **VACATED**; and

9. Plaintiff's "Notice of Registration of Foreign Final Judgment/Arbitration Pursuant to [28 U.S.C. § 1963]," is **VACATED**.

10. Plaintiff's Complaint (Doc. No. [1]) is **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 20, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge